

AN ACT
D.C. ACT 24-623

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 1, 2022

To amend the District of Columbia Traffic Act, 1925 to exempt permitted operators from the requirement to deploy shared fleet devices during certain times designated by the Director of the District Department of Transportation, to allow riders to safely proceed through stop signs without stopping in certain circumstances, to authorize the District Department of Transportation to install signage permitting riders to proceed through red lights under certain circumstances, to prohibit motor vehicle operators from making a turn when facing a steady red traffic control signal except where the District Department of Transportation has determined that doing so would improve safety at a given intersection, and to require the District Department of Transportation to maintain, update annually, and post publicly on its website a list of intersections where a turn on red is permitted and an explanation of how permitting turns on red at that intersection would improve safety; and to amend the Priority Sidewalk Assurance Act of 2010 to require the District Department of Transportation to develop an annual plan to convert tactical safety projects to permanent streetscape projects and to review whether bicycle lanes could be improved by modifying their designs and materials, to require the District Department of Transportation to develop standardized designs for traffic safety infrastructure, including vertical traffic calming measures such as continuous sidewalks, raised crosswalks, and raised intersections, and to require the implementation of those design standards when undertaking road reconstructions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Safer Streets Amendment Act of 2022”.

Sec. 2. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2201.02) is amended as follows:

(1) Paragraphs (14A), (14B), (14C), and (14D) are redesignated as paragraphs (14B), (14C), (14D), and (14E), respectively.

(2) A new paragraph (14A) is added to read as follows:

“(14A) “Rider” mean a person riding a bicycle, motorized bicycle, e-bicycle, electric mobility device, or other personal mobility device. The term “rider” does not include a person operating a motor-driven cycle or motorcycle, as those terms are defined in 18 DCMR § 9901.1.”.

(b) Section 6c (D.C. Official Code § 50-2201.03c) is amended as follows:

(1) Subsection (b)(3) is amended to read as follows:

“(3) The Director may:

“(A) Decline to issue any SFD permits; or

“(B) If SFD permits are issued, limit the number of permitted operators in the District to any number greater than 2.”.

(2) Subsection (g)(1) is amended to read as follows:

“(1) Have at least 3% of its fleet deployed in each ward cumulatively between 5:00 a.m. and 7:00 a.m. each day and in any other priority areas identified by the Director; except, that:

“(A) A permitted operator with less than 200 permitted shared fleet devices need not comply with this paragraph; and

“(B) Permitted operators shall not deploy shared fleet devices if the Director has provided the permitted operator with notice that shared fleet service is temporarily suspended to preserve public safety;”.

(c) Section 9d (D.C. Official Code § 50-2201.04d) is amended to read as follows:

“Sec. 9d. Riders’ safe crossing at intersections.

“(a) A rider approaching a stop sign may go straight through the intersection or make a turn without stopping; provided, that the rider:

“(1) Is travelling at an appropriate speed to reasonably assess and avoid hazards;

“(2) Determines there is no immediate hazard; and

“(3) Yields the right-of-way to pedestrians and to other traffic lawfully using the intersection.

“(b) A rider approaching a steady red traffic control signal may go straight through the intersection or make a left turn; provided, that DDOT has posted signage expressly permitting such movements at that intersection, and that the rider:

“(1) Makes a complete stop;

“(2) Determines there is no immediate hazard; and

“(3) Yields the right-of-way to pedestrians and to other traffic lawfully using the intersection.

“(c) A rider approaching a steady red traffic control signal may make a right turn, provided that the rider:

“(1) Makes a complete stop;

“(2) Determines there is no immediate hazard; and

“(3) Yields the right-of-way to pedestrians and to other traffic lawfully using the intersection.

“(d) A rider may follow the pedestrian traffic control signal, including a leading pedestrian interval, for the rider’s direction of travel.”.

(d) Section 9e (D.C. Official Code § 50-2201.04e) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Except as provided in subsection (b) of this section, DDOT” and inserting the acronym “DDOT” in its place.

(2) Subsection (b) is repealed.

(3) New subsections (c), (d), (e), and (f) are added to read as follows:

“(c) Beginning January 1, 2025, a motor vehicle operator shall not make a turn when facing a steady red traffic control signal unless DDOT has installed signage, pursuant to subsection (d) of this section, permitting a turn when facing a steady red traffic control signal at that intersection.

“(d)(1) DDOT may install signage at any intersection allowing motor vehicle operators to make a turn when facing a steady red traffic control signal only if DDOT:

“(A) Determines that allowing a motor vehicle operator to make a turn when facing a steady red traffic control signal at the intersection would improve safety at that intersection; and

“(B) Updates the information required by subsection (f) of this section.

“(2) DDOT shall not use automobile delay, as described by level of service or similar measures of vehicular capacity or traffic congestion, as the basis for the determination made under paragraph (1)(A) of this subsection.

“(e) By January 1, 2025, DDOT shall undertake a public education campaign on the provisions of this section.

“(f) DDOT shall maintain, update within 30 days after the installation of signage permitting a turn on red, and post publicly on its website:

“(1) A list of intersections where turns on red are allowed;

“(2) DDOT’s rationale pursuant to subsection (d)(1)(A) of this section for each intersection listed pursuant to paragraph (1) of this subsection; and

“(3) The date of the signage installation allowing turns on red.”.

Sec. 3. The Priority Sidewalk Assurance Act of 2010, effective September 24, 2010 (D.C. Law 18-227; D.C. Official Code § 9-425.01 *et seq.*), is amended as follows:

(a) New sections 2b and 2c are added to read as follows:

“Sec. 2b. Tactical safety project and bicycle lane conversions.

“(a) Beginning in 2023, and each year thereafter, the District Department of Transportation (“DDOT”) shall promulgate and implement a plan to convert tactical safety projects to permanent streetscape projects and to review the safety and durability of bicycle lanes.

“(b) The plan required by subsection (a) of this section shall:

“(1) Include an inventory and map of tactical safety projects;

“(2) Set an annual target for the number of tactical safety projects DDOT will convert to permanent streetscape projects in that year;

“(3) Identify the locations where DDOT intends to convert tactical safety projects to permanent streetscape projects by developing and utilizing criteria such as the equitable distribution of safety infrastructure, safety needs, and state of repair;

“(4) Include an inventory and map of all bicycle lanes, which shall include:

“(A) The materials used to delineate each bicycle lane;

“(B) A determination that specifies, for each bicycle lane, what design changes would be feasible to add to the safety and comfort of riders, including:

“(i) Whether buffers or physical protection could be added or strengthened; and

“(ii) Whether modifying the materials used to delineate the lane would improve safety and comfort for riders; and

“(C) A description of the feasibility of design changes identified pursuant to subparagraph (B) of this paragraph, such as whether the design changes would require a roadway redesign or have a significant impact on parking;

“(5) Identify the locations where, in that year, DDOT intends to modify bicycle lanes, pursuant to paragraph (4)(B) of this subsection; and

“(6) Beginning in 2024, and each year thereafter, report to the Council on work completed in the previous year, including:

“(A) The number of tactical safety projects DDOT converted to permanent streetscape projects;

“(B) The number and mileage of bicycle lanes DDOT modified pursuant to the plan;

“(C) Whether DDOT met its annual target for converting tactical safety projects to permanent streetscape projects;

“(D) If DDOT missed the annual target for converting tactical safety projects to permanent streetscape projects for the prior year, an explanation as to why the annual target was missed;

“(E) The location and a description of each tactical safety project converted into a permanent streetscape project in the prior year; and

“(F) The location and a description of each bicycle lane modified in the prior year.

“(c) For the purposes of this section, the term:

“(1) “Permanent streetscape project” means a streetscape project such as curbs, barriers, medians, pedestrian islands, vehicle lane closures, and bus stop islands, or other

infrastructure, constructed with durable materials such as concrete, stone, or metal, designed specifically for long-term use.

“(2) “Tactical safety project” means a streetscape project, such as curb extensions, barriers, medians, pedestrian islands, vehicle lane closures, and bus stop islands, or other infrastructure, constructed with temporary or semi-durable materials such as flex posts.

“Sec. 2c. Continuous sidewalks, raised crosswalks, and raised intersections.

“(a) By January 1, 2024, and every 5 years thereafter, the Department of Transportation (“DDOT”) shall review and update the:

“(1) Design and Engineering Manual, or any successor document; and

“(2) Standard Drawings, or any successor document.

“(b) In complying with subsection (a) of this section, DDOT shall establish standard designs for traffic safety infrastructure. The designs shall:

“(1) Include variants of vertical traffic calming devices, including continuous sidewalks, raised crosswalks, and raised intersections that are appropriate for installation in a variety of circumstances, including on and adjacent to all roadway classifications, on emergency routes, on transit corridors, that minimize impacts to bike and scooter riders, and to account for drainage and underground utility access; and

“(2) Specify under which conditions each design variant shall be considered a standard treatment.

“(c) For all projects where DDOT engages in any road reconstruction:

“(1) Installation of continuous sidewalks, raised crosswalks, and raised intersections shall be considered standard treatments, as specified in the design standards established pursuant to this section; and

“(2) Where DDOT does not plan to install continuous sidewalks, raised crosswalks, and raised intersections at locations deemed standard pursuant to the design standards established pursuant subsection (a) of this section, DDOT shall explain in writing on the project’s website why a continuous sidewalk, raised crosswalk, or raised intersection was inappropriate or not feasible, and shall provide details on alternative measures taken to improve pedestrian safety at each location.”.

(b) Section 3(f) (D.C. Official Code § 9-425.02(f)) is amended to read as follows:

“(f) For the purposes of this act, the term:

“(1) “Affected parties” means residents with property abutting the road segment under consideration.

“(2) “Continuous sidewalk” means a crosswalk that is the same surface height as a sidewalk and similar in materials and appearance to a sidewalk.

“(3) “Raised crosswalk” means a crosswalk elevated to be at or near level with the sidewalk in which pavement markings are retained and similar in appearance to a conventional high-visibility crosswalk.

“(4) “Raised intersection” means an intersection, as that term is defined in 18 DCMR § 9901.1, in which the entire intersection is elevated to be at or near level with the sidewalk, and in which pedestrian passageways may be delineated by traffic control bollards.

“(5) “Road reconstruction” means any construction work done that requires designing a new layout of the road, but does not include repaving by itself.”.

Sec. 4. Applicability.

(a) Sections 2(d) and 3 shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the provisions identified in subsection (a) of this section.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia

 UNSIGNED
Mayor
District of Columbia
October 31, 2022

**COUNCIL OF THE DISTRICT OF COLUMBIA****WASHINGTON, DC, 20004**Docket No. **B24-0673**☐ ITEM ON CONSENT CALENDAR☒ ACTION**First Reading**☒ VOTE DATE**September 20, 2022**☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☒ ROLL CALL VOTE – Result**Approved**

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White	X				
Cheh	X					Nadeau	X										
Gray	X					Pinto	X										
X - Indicate Vote					AB – Absent	NV - Present, Not Voting						Rec - Recused					

CERTIFICATION RECORD

Secretary to the Council

10.11.22

Date

Docket No. **B24-0673**☐ ITEM ON CONSENT CALENDAR☒ ACTION**Final Reading**☒ VOTE DATE**October 4, 2022**☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☒ ROLL CALL VOTE – Result**Approved**

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White		X			
Cheh	X					Nadeau	X										
Gray	X					Pinto	X										
X - Indicate Vote					AB – Absent	NV - Present, Not Voting						Rec - Recused					

CERTIFICATION RECORD

Secretary to the Council

10.11.22

Date